

Message Text

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PAGE 01 HONG K 01019 280657Z

11

ACTION SCS-03

INFO OCT-01 EA-07 ISO-00 L-03 /014 W

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P R 280623Z JAN 76

FM AMCONSUL HONG KONG

TO DEPARTMENT OF JUSTICE PRIORITY

INFO SECSTATE WASHDC 8902

LIMITED OFFICIAL UE HONG KONG 1019

JUSTICE FOR RISTAU, CHIEF, FOREIGN LITIGATION UNIT, CIVIL
DIVISION ONLY, FROM LLO.

E.O. 11652: N/A

SUBJ: U.S. V. SIMMONS

1. GEORGE STEVENSON ASKED THE FOLLOWING BE RELAYED TO YOU.

2. THIS IS WITH REFERENCE TO YOUR COMPOSIT CABLE OF
JANUARY 14 TO LEGAL LIAISON OFFICE.

3. WE ARE NOW WORKING URGENTLY ON FIANLIZATION OF TRANSFERS/
ASSIGNMENTS TO YOUR AGREED NOMINEE OF ALL KNOWN ASSETS IN
HONG KONG. IN THIS CONNECTION CAN YOU ASSIST BY INDICATING
WHERE HE CAN FIND PRECISE REFERENCE IN OLSEN'S WORKING
PAPERS OR ELSEWHERE TO SIMMONS TWO UNSECURED LOANS TO KOON
HUNG WONG OF APPROXIMATELY HK\$45,000 FOR PORCHE AND
HK\$500,000 FOR PURCHASE OF APARTMENT. WE
PRESUME THESE SUMS MAY BE PART OF HK \$1,000,000 IN WONGS
HANDS WHICH WAS NOT ACCOUNTED FOR.

4. WE BELIEVE THAT HK\$706,739 BALANCE HAS NOW BEEN
DEPLETED SOMEHOW TO SUM OF HK\$261,884 REFERRED TO AT
ITEM 11, PAGE 7, OUR LETTER JANUARY 12. COUNSEL NOW
ADVISE THAT THIS SUM AS WELL AS LOAN OF HK\$2 MILLION
SHOULD BE ASSIGNED TO YOUR NOMINEE WHO CAN PRUSUE CLAIM
MORE EASILY THAN BY TRACING METHOD. STAMP DUTY OF
2 3/4 PERCENT (2 ONE HALF PERCENT WAS WRONG RATE) IS NOT A
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PENALTY BUT STAMP DUTY PAYABLE TO REVENUE ON ASSIGNMENT

OF A DEBT OR CHOSE IN ACTION. AGAIN REFERRING TO OUR
LETTER JANUARY 12 PLEASE DELETE ITEM 1 WHICH NO LONGER
EIXTS BUT ADD A FIXED DEPOSIT SEVERAL WITH WING ON BANK
AMOUNT BEING CHECKED B CURRENT ACCOUNT SIMMONS WITH
CHARTERED BANK BELIEVED TO BE HK\$674,227. ITEM 2 IS
HK \$1,259,700. ITEM 3 IS HK\$1,749,139.

5. WE PRESUME YOU WILL MAKE ARRANGEMENT S YOUR END TO
RECOVER US\$5,000 FROM WORLIE SIMMONS. WE REMEMBER
JACKSON-LIPKIN INFORMING JUDGE LEONARD THAT HK\$500,000
DRAWN FROM PAN ASIAN APRIL 14 WAS USED BY SIMMONS TO
PURCHASE US CURRENCY TO TAKE TO SAIGON TO EFFECT EXIT
HIS WIFE AND FAMILY. SIMMONS SHOULD NOT NOW DENY THIS.
WE HAVE QUERIED THIS WITH GHW AS WELL AS TWO SERVAL
CHECKS USED TO PURCHASE US\$50,000. IT MAY HAVE BEEN THIS
AMOUNT WHICH SIMMONS TOOK TO SAIGON BUT HIS COUNSEL
CERTAINLY ADMITTED IT WAS ONE OR THE OTHER.

6. WE ARE NOW PREPARING TEXT OF CONSENT ORDER TO
JUDGMENT AGAINST SIMMONS PAN ASIA AND SERVAL AND WILL
CABLE THIS TO YOU SHORTLY FOR APPROVAL.
CROSS

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04 MAY 2006

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